



# City of Marietta

## Meeting Agenda

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

### CITY COUNCIL

*William B. Dunaway, Mayor*  
*Betty Lou Hunter, Ward 1*  
*M. C. (Pete) Waldrep, Jr., Ward 2*  
*John V. Sinclair, Ward 3*  
*G. A. (Andy) Morris, Ward 4*  
*Rev. Anthony Coleman, Ward 5*  
*James W. King, Ward 6*  
*Philip M. Goldstein, Ward 7*

---

Wednesday, December 8, 2004

7:00 PM

Council Chamber

---

### INVOCATION:

*Councilman Jim King, Ward 6*

### PLEDGE OF ALLEGIANCE:

### PRESENTATIONS:

#### **20041388 Swearing In of Police Officers**

Swearing In of the following Police Officers:

Michael Gardner  
Eric Henderson  
Rebecca Hawkins  
Kenneth Martin.

#### **20041345 Recognition of City Club, Marietta Staff**

Recognition of City Club, Marietta staff for winning the Cobb Convention & Visitors Bureau Agency of the Year award.

#### **20041391 Distinguished Service Award**

Presentation of a Distinguished Service Award to Danny Lyle for his service on the City of Marietta Pension Board.

#### **20041379 2004 SEDC Literature and Promotion Award**

On behalf of the Marietta Economic Development Department, Beth Tippins receives the 2004 SEDC Literature and Promotion Award which is awarded for excellence and creativity in a general purpose brochure.

#### **20041390 Citizens Government Academy Class of 2004**

Graduates include:

Shamica Harper  
Mary Armstrong  
Robert Cranford  
Nell Gresham  
Erik Kviten  
Janet Hosler  
John Holmes  
Angela Smith

Sharon Bruton  
Jesse King  
Jim Underwood  
Chuck George  
Patricia Henao  
Velma Cromer  
Shae Avery  
Arthur Vaughn

**PROCLAMATIONS:****CONSENT AGENDA:**

**Consent agenda items are marked by an asterisk (\*).**

**(A public hearing will be held only for those items marked by an asterisk that require a public hearing, which is so noted below the agenda item.)**

**MINUTES:**

- \* **20041343      Regular Meeting - November 10, 2004**  
Review and approval of the November 10, 2004 regular meeting minutes.
- \* **20041359      Special Meeting - November 29, 2004**  
Review and approval of the November 29, 2004 special meeting minutes.

**MAYOR'S APPOINTMENTS:**

- \* **20041363      Clean City Commission**  
Reappointment of Jewell Cribb to the Clean City Commission for a two-year term expiring on January 1, 2007.

**CITY COUNCIL APPOINTMENTS:**

- 20040464      Planning Commission Appointment - Ward 3**  
Appointment to the Planning Commission for unexpired term of three (3) years expiring on May 17, 2007.
- \* **20041299      ADA Advisory Board - Post 2**  
Reappointment of Paul Duncan to Post 2 of the Americans with Disabilities (ADA) Advisory Board for a two-year term, effective January 2, 2005 and expiring on January 1, 2007.
- \* **20041301      Civil Service Board - Post 3**  
Reappointment of Leon King to Post 3 of the Civil Service Board for a three-year term expiring on December 31, 2007.
- \* **20041360      Clean City Commission - Ward 1**  
Reappointment of Martha Crawford to the Clean City Commission for a term of two-years expiring on January 1, 2007.
- \* **20041373      Clean City Commission - Ward 2**  
Reappointment of Courtenay Vanderbilt to the Clean City Commission, Ward 2, for a two-year term expiring on January 1, 2007.
- \* **20041370      Clean City Commission - Ward 3**

- Reappointment of Mary West to the Clean City Commission, Ward 3, for a two-year term expiring on January 1, 2007.
- \*

20041368

Clean City Commission - Ward 6
- Reappointment of Karen Hillenbrand to the Clean City Commission, Ward 6, for a two-year term expiring on January 1, 2007.
- \*

20041369

Clean City Commission - Ward 7
- Reappointment of Lloyd Nawrocki to the Clean City Commission, Ward 7, for a two-year term expiring on January 1, 2007.

**ORDINANCES:**

- \*

20040945

CA2004-22 Amendment to the City of Marietta Future Land Use Map.
- Ordinance amending the City of Marietta Comprehensive Plan 1997-2006 and Future Land Use Map.
- Public Hearing Required
- (All parties to be sworn in)

**RESOLUTIONS:**

**CITY ATTORNEY'S REPORT:**

- \*

20041323

Denial of Claim
- Motion to deny the claim of Sharon and Michael McGuire

**CITY MANAGER'S REPORT:**

**MAYOR'S REPORT:**

**COMMITTEE REPORTS:**

**1. Economic/Community Development: John V. Sinclair, Chairperson**

- \*

20041318

CDBG Reallocations
- A Resolution authorizing the reallocations of \$400,000 to Housing Rehab, \$100,000 to the Boys and Girls Club Latino Outreach Center on Franklin Road and \$25,000 to contract for a Franklin Road Project Coordinator from Community Development Block Grant funds.

**2. Finance/Investment: Philip M. Goldstein, Chairperson**

**3. Judicial/Legislative: M. C. "Pete" Waldrep, Jr., Chairperson**

- 20041320

Revised Detailed Plan for McLaren Mill Development, LLC
- Motion to approve the Revised Detailed Plan for McLaren Mill Development, LLC with the following stipulation: Variance to allow more than 2 houses off of a common drive.
- \*

20041324

Marietta Museum of History By-laws Amendment
- Motion to approve an amendment to the bylaws of the Marietta Museum of History to provide for the creation of a Board of Emeritus.

**4. Parks, Recreation and Tourism: Rev. Anthony Coleman, Chairperson**

**20040943 Request for Easement on City Park Property**

Motion to approve a Revocable Easement Agreement to grant an easement within Whitaker Park to the Holcomb Lake neighborhood.

**\* 20041319 2005 Taste of Marietta Event Requests**

Motion to approve permitting the sale and consumption of beer and wine in the Square area during the Taste of Marietta on April 24, 2005 as provided in the City of Marietta Code of Ordinances, Section 10-4-070. Further, to approve temporary closings of:

- North and West Park Square on Saturday, April 23, 2005 and Sunday April 24, 2005 until 10:00 p.m.
- East Park Square and Lawrence Street between East Park Square and Waddell Street from 1:00 a.m. until 10:00 p.m. on Sunday, April 24, 2005.
- Mill Street between the railroad tracks and West Park Square, Church Street from the south side of Hansell Street to North Park Square, and Cherokee Street from North Park Square to the entrance of the Cobb County parking deck at 8:00 a.m. on the morning of the festival.

.

**5. Personnel/Insurance: Betty L. Hunter, Chairperson****\* 20041316 Consulting Services for Police Lieutenant & Sergeant Assessment Centers**

Motion to approve an agreement with Dr. James M. Austin, Jr., to administer the promotional assessment centers for the positions of Police Lieutenant and Police Sergeant.

**\* 20041317 Frequency of ADA Advisory Board Meetings**

Amending City Code Sections 1-10-6-020, Par. B (6) so as to delete any requirement of the ADA Advisory Board to meet on a monthly basis.

**6. Public Safety Committee: G. A. "Andy" Morris, Chairperson****\* 20041288 MPD's Standard Operating Procedures**

Motion to adopt Standard Operating Procedures dealing with Personnel Selection (A039), Detention & Housing of Detainees (A052), Allocation & Distribution of Personnel (A053), Departmental Forms & Reports (A070), Roadblocks (P042), Traffic Accidents (P047), Vehicle Impounds (P048), Traffic Enforcement (P049), D.U.I Arrests (P051), and Training (T050) in order to maintain accreditation status.

**7. Public Works Committee: James W. King, Chairperson****20041196 Request for "No Parking" Zone on Brandon Drive**

Motion to approve a request to designate the frontage of 1475 Brandon Drive and the Brandon Drive frontage of 495 Montaign Court as " No Parking Zones."

**\* 20041314 "No Parking" Zone on Wellons Street**

Motion to approve a request to designate the frontage of 356 Wellons Street as a "No Parking Zone."

**SCHEDULED APPEARANCES:**

**UNSCHEDULED APPEARANCES:****OTHER BUSINESS:****20041321 HO2004-05 111 Doran Avenue**

HO2004-05 Motion to approve home occupation for Walter Scott Allen, Land Lot 12340, 16th District, Parcel 1250, 2nd Section, Cobb County, Marietta, Georgia and being 111 Doran Avenue. Request to establish a home occupation for chiropractic office [712.04]. Ward 1A.

**20041378 MOU with Madison Retail, LLC**

Motion to: (a) approve the action of the Marietta Redevelopment Corporation Board on November 17, 2004, which approved the extension of the Memorandum of Understanding with Madison Retail for sixty (60) days; (b) renew and extend the MOU with Madison Retail for sixty (60) days; and (c) authorize the negotiation of a Master Development Agreement between the MRC and Madison Retail.

**\* 20041389 Budget Amendment to Add Funds to Property Acquisition Account**

Ordinance to amend FY2005 General Fund budget to appropriate \$1,425,000 from fund balance to the property acquisition account and authorize staff to acquire property by December 31, 2004.

**\* 20041366 Georgia Public Web (GPW) Board Nomination**

Motion to nominate John Kane to serve on the Georgia Public Web (GPW) Board of Directors.

**\* 20041410 Georgia Public Web Voting Delegate**

Motion to nominate Robert Lewis as voting delegate and Herb Edwards as alternate voting delegate for the Georgia Public Web Board.

**20041371 MRC By-laws Amendment**

Motion to amend the bylaws of the Marietta Redevelopment Corporation under Section 2, Composition, to designate the Cobb County Commission Chair as a non-voting member and change the composition to five (5) elected officials of the City of Marietta.

**\* 20041387 Extension of MCCR Management Contract**

Motion to extend the management contract for the Marietta Conference Center & Resort with Remington Hospitality until January 13, 2005.

**\* 20041412 268 Lawrence Renovation Funding**

Ordinance amending FY05 CDBG fund budget to receive and appropriate \$15,000 from Cobb County CDBG for renovating common space at 268 Lawrence Street.

**\* 20041413 Rezoning Advertisement for Johnny Walker Homes Property**

Motion to approve advertisement of the City's intent to rezone the entire property, approximately 10.73 acres, known as the Johnny Walker Homes redevelopment property to MXD (Mixed-Use Development).

**20041411 Authorization for Survey and Budget Amendment for Funding**

budget to appropriate funding for said survey of property known as the Johnny Walker Homes redevelopment property in two separate parcels: 1) front rights of way that the city will not sell, and 2) the remaining property the city plans to redevelopment and is willing to sell.

\*        **20041176        BLW Actions of December 6, 2004**

Review and approval of the actions and minutes of the Board of Lights and Water at their December 6, 2004 regular meeting.

*Philip M. Goldstein abstains on the action taken by the BLW under agenda item 20041235.*

**ADJOURNMENT:**